

**UNITED STATES DISTRICT COURT  
for the  
Western District of North Carolina**

DAVID HOLMES, HERTA THEBERGE,  
MARGUERITE K. POTTER, and the MARGUERITE  
K. POTTER REVOCABLE TRUST, individually and  
on behalf of all others similarly situated,

*Plaintiff*

**v.**

**Civil Action No. 3:12-cv-00487-MOC**

BANK OF AMERICA, N.A., in its own capacity and as  
successor by merger to BAC HOME LOANS  
SERVICING, L.P., SEATTLE SPECIALTY  
INSURANCE SERVICES, INC., in its own capacity and  
as successor in interest to COUNTRYWIDE

*Defendant*

**SUMMONS IN A CIVIL ACTION**

**TO:** *(Defendant's name and address)*

Lloyd's, Underwriters at, London, c/o Florida Chief Financial Officer as RA, 200 East Gaines  
Street, Tallahassee, FL 32399 and c/o Mendes & Mount, 750 Seventh Avenue, New York, NY  
10019

**A lawsuit has been filed against you.**

**Within 21 days after service of this summons on you (not counting the day you received it) – or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) – or 60 days if you are named as a defendant within an asbestos litigation case - you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:**

E. Michelle Drake, Nichols Kaster, PLLP, 4600 IDS Center, 80 S 8th St, Minneapolis, MN 55402,

**If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.**



Date 11/1/2012

Frank G. Johns, Clerk  
United States District Court



CHIEF FINANCIAL OFFICER  
JEFF ATWATER  
STATE OF FLORIDA



12-144221

DAVID HOLMES, HERTA THEBERGE,  
MARGUERITE K. POTTER, AND  
MARGUERITE K. POTTER REVOCABLE TRUST,  
INDIVIDUALLY AND ON BEHALF OF ALL OTHERS  
SIMILARLY SITUATED  
PLAINTIFF(S), VS.

CASE #: 3:12-CV-00487-MOC  
COURT: UNITED STATES DISTRICT CO  
COUNTY: WESTERN DISTRICT OF NOR  
DFS-SOP#: 12-144221

BANK OF AMERICA, N.A., IN ITS OWN CAPACITY AND  
AS SUCCESSOR BY MERGER TO BAC HOME LOANS  
SERVICING, L.P., SEATTLE SPECIALTY INSURANCE  
SERVICES, INC., IN ITS OWN CAPACITY AND AS  
SUCCESSOR IN INTEREST TO COUNTRYWIDE  
DEFENDANT(S).

SUMMONS IN A CIVIL ACTION, FIRST AMENDED COMPLAINT AND  
JURY TRIAL DEMAND, EXHIBIT, DISCOVERY

### **NOTICE OF SERVICE OF PROCESS**

NOTICE IS HEREBY GIVEN of acceptance of Service of Process by the Chief Financial Officer of the State of Florida. Said process was received in my office by MAIL on the 5th day of November, 2012 and a copy was forwarded by Electronic Delivery on the 8th day of November, 2012 to the designated agent for the named entity as shown below.

LLOYD'S UNDERWRITERS AT LONDON  
EDWARD T SMITH  
AKA CERTAIN UNDERWRITERS AT LLOYD'S, LONDON  
MENDES & MOUNT  
750 SEVENTH AVENUE  
NEW YORK, NY 10019-6829

\* Our office will only serve the initial process (Summons and Complaint) or Subpoena and is not responsible for transmittal of any subsequent filings, pleadings or documents unless otherwise ordered by the Court pursuant to Florida Rules of Civil Procedure, Rule #1.080.

Jeff Atwater  
Chief Financial Officer

cc to: Plaintiff's Representative for filing in appropriate court:

SARAH W. STEENHOEK  
4600 IDS CENTER  
80 SOUTH 8TH STREET  
MINNEAPOLIS MN 55402

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*Defendant*

SUMMONS IN A CIVIL ACTION

RECEIVED IN SERVICE  
OF PROCESS SECTION  
2012 NOV -5 AM 11:19  
DEPARTMENT  
OF FINANCIAL SERVICES

**TO:** (*Defendant's name and address*)

Lloyd's, Underwriters at, London, c/o Florida Chief Financial Officer as RA, 200 East Gaines  
Street, Tallahassee, FL 32399 and c/o Mendes & Mount, 750 Seventh Avenue, New York, NY  
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*Frank G. Johns*  
Frank G. Johns, Clerk  
United States District Court

Date 11/1/2012

SERVED ON DEFENDANT  
2012 NOV -8 AM 11:08  
DEPARTMENT  
OF FINANCIAL SERVICES